

1 Josh A. Cohen (SBN 217853)  
CLARENCE DYER & COHEN LLP  
2 899 Ellis Street  
San Francisco, CA 94109  
3 Tel: (415) 749-1800  
Fax: (415) 749-1694  
4 jcohen@clarencedyer.com

5 Attorneys for Defendant  
MONTE WEDL

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 MONTE WEDL,

14 Defendant.

Case No. 16-mj-71586 MAG

**STIPULATION AND ORDER  
CONTINUING STATUS CONFERENCE  
FROM FEBRUARY 16, 2017 TO MARCH  
9, 2017**

16 The parties, by and through their undersigned counsel, hereby agree and stipulate as  
17 follows:

18 WHEREAS, defendant Monte Wedl is presently scheduled to appear before this Court for  
19 a status conference on February 16, 2017;

20 WHEREAS, Mr. Wedl returned to his home in Incline Village, Nevada, from residential  
21 treatment in Atlanta on or about February 2, 2017; is continuing outpatient treatment; and is  
22 compliant with the conditions of his pretrial release;

23 WHEREAS, the parties are presently discussing next steps in the case;

24 WHEREAS, counsel for Mr. Wedl starts a two-week trial before Judge Donato on  
25 February 21, 2017 and will be unavailable during that period;

26 WHEREAS, Mr. Wedl agrees to waive time under Federal Rule of Criminal Procedure 5.1  
27 and the Speedy Trial Act given counsel's unavailability and the need for effective preparation;  
28

1 NOW, THEREFORE, the parties hereby AGREE and STIPULATE that the status  
 2 conference currently scheduled for February 16, 2017 should be continued to March 9, 2017. The  
 3 parties further AGREE and STIPULATE that the time between February 16, 2017 and March 9,  
 4 2017 should be excluded under the Speedy Trial Act. Given the unavailability of defense counsel  
 5 during trial of an unrelated matter and the need for defense counsel to research issues relating to  
 6 potential disposition of this case, the parties agree that the failure to grant a continuance would  
 7 unreasonably deny the defendants the availability of counsel and the reasonable time necessary for  
 8 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §  
 9 3161(h)(7)(B)(iv).

10 IT IS SO STIPULATED.

11 Dated: February 14, 2017

\_\_\_\_\_  
 /s/  
 Josh Cohen  
 Attorney for Defendant MONTE WEDL

14 Dated: February 14, 2017

\_\_\_\_\_  
 /s/  
 Shailika Kotiya  
 Assistant United States Attorney

### 16 ORDER

17 By stipulation of the parties, and for good cause shown, the status conference in this matter  
 18 presently scheduled for February 16, 2017 is hereby continued to March 9, 2017 at 11:00 a.m.

19 It is further ORDERED that the time between February 16, 2017 and March 9, 2017 shall  
 20 be excluded under the Speedy Trial Act. The Court finds that the ends of justice served by the  
 21 continuance outweigh the best interest of the public and the defendant in a speedy trial. *See* 18  
 22 U.S.C. § 3161(h)(7)(A). Further, the Court finds that the failure to grant a continuance would  
 23 unreasonably deny the defendant the availability of counsel and the reasonable time necessary for  
 24 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §  
 25 3161(h)(7)(B)(iv).

1 It is further ORDERED that, with the defendant's consent and for good cause shown, the  
2 time between February 16, 2017 and March 9, 2017 shall be excluded under Federal Rule of  
3 Criminal Procedure 5.1.

4 IT IS SO ORDERED.

5 Date: February 15, 2017

  
JACQUELINE S. CORLEY  
UNITED STATES MAGISTRATE JUDGE